

March 15, 2011

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

Elisabeth A. Shumaker  
Clerk of Court

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STACY DEAN FOSTER,

Defendant - Appellant.

No. 10-7089

(D.C. No. 6:05-CR-00068-FHS-1)

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**ORDER**

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The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir. R. 3.3(B) and 10th Cir. R. 42.1.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk